

#	Name	Salary Rate	Workweek	Days M-F	Hrs Reported For Billing	Regular Pay Received
18	Brenda Faux	\$1,600/wk	5/28/06	4	31.5	\$1,280 (4/5 of regular salary)
19	Peggy Goldston	\$1,600/wk	12/26/04	4	26	\$1,280 (4/5 of regular salary)
20	Tim Hord	\$1,600/wk	2/19/06	4	29.25	\$1,280 (4/5 of regular salary)
21	Fatima McCullough	\$1,600/wk	9/4/05	4	31.25	\$1,280 (4/5 of regular salary)
22	Fatima McCullough	\$1,800/wk	3/3/07	4	29.75	\$1,440 (4/5 of regular salary)
23	Julie McMillan	\$1,600/wk	5/28/06	4	28.25	\$1,280 (4/5 of regular salary)
24	Sandra Morman	\$1,800/wk	1/1/06	4	39	\$1,440 (4/5 of regular salary)
25	Pamela O. Nunez	\$1,600/wk	12/18/05	4	24.5	\$1,280 (4/5 of regular salary)
26	Andrea Philpotts	\$1,600/wk	1/22/06	4	27	\$1,280 (4/5 of regular salary)
27	Toni S. Mosely	\$1,800/wk	1/23/05	4	27.5	\$1,440 (4/5 of regular salary)
28	Lillian O. Yeager	\$1,600/wk	1/30/05	4	31	\$1,280 (4/5 of regular salary)
29	Alan Young	\$1,600/wk	12/25/05	4	28.5	\$1,280 (4/5 of regular salary)



#	Name	Salary Rate	Workweek	Days M-F	Hrs Reported For Billing	Regular Pay Received
30	Patrick Barry	\$1,800/wk	11/27/05	3	20.25	\$960 (3/5 of regular salary)
31	James Cook	\$1,600/wk	1/23/05	3	11.75	\$960 (3/5 of regular salary)
32	Randall Griffin	\$2,000/wk	9/11/05	3	23.5	\$1,200 (3/5 of regular salary)
33	Tim Hord	\$1,600/wk	1/8/06	3	22.5	\$960 (3/5 of regular salary)
34	Lyn Main	\$1,800/wk	3/26/06	3	20.25	\$1,080 (3/5 of regular salary)
35	Lyn Main	\$1,800/wk	1/1/06	3	17	\$1,080 (3/5 of regular salary)
36	Julie McMillan	\$1,600/wk	11/28/04	3	23	\$960 (3/5 of regular salary)
37	Shobhan Menon	\$1,600/wk	10/2/05	3	16	\$960 (3/5 of regular salary)
38	Michael Moss	\$1,600/wk	9/24/06	3	23.5	\$960 (3/5 of regular salary)
39	Pamela O. Nunez	\$1,600/wk	9/4/05	3	7	\$960 (3/5 of regular salary)
40	Louis Smeraglia	\$1,600/wk	12/26/04	3	22.5	\$960 (3/5 of regular salary)
41	Louis Smeraglia	\$1,600/wk	1/2/05	3	17.5	\$960 (3/5 of regular salary)
42	Linus Strlecki	\$1,600/wk	2/27/05	3	23.5	\$960 (3/5 of regular salary)
43	Barbara Sykes	\$1,800/wk	1/1/06	3	19.5	\$1,080 (3/5 of regular salary)
44	Cherri Walker	\$1,600/wk	12/30/06	3	22	\$960 (3/5 of regular salary)
45	Lillian O. Yeager	\$1,600/wk	8/21/05	3	23	\$960 (3/5 of regular salary)
46	Lillian O. Yeager	\$1,600/wk	12/5/04	3	21	\$960 (3/5 of regular salary)
47	Lillian O. Yeager	\$1,600/wk	1/23/05	3	20	\$960 (3/5 of regular salary)
48	Lillian O. Yeager	\$1,600/wk	9/25/05	3	20	\$960 (3/5 of regular salary)
49	Lillian O. Yeager	\$1,600/wk	12/18/05	3	20	\$960 (3/5 of regular salary)



#	Name	Salary Rate	Workweek	Days M-F	Hrs Reported For Billing	Regular Pay Received
50	Patrice Conner	\$2,000/wk	11/27/05	2	15.75	\$800 (2/5 of regular salary)
51	Anthony Cornejo	\$1,600/wk	9/4/05	2	13	\$640(2/5 of regular salary)
52	Fatima McCullough	\$1,800/wk	11/18/06	2	8	\$720(2/5 of regular salary)
53	Peter Montgomery	\$1,600/wk	2/19/06	2	15.25	\$640(2/5 of regular salary)
54	Michael Moss	\$1,600/wk	12/30/06	2	13.5	\$640(2/5 of regular salary)
55	Pareta Roberts	\$1,600/wk	12/5/04	2	12.5	\$640(2/5 of regular salary)
56	Barbara Sykes	\$2,200/wk	12/2/06	2	18	\$880 (2/5 of regular salary)
57	Toleda White	\$1,600/wk	11/27/05	2	13.5	\$640(2/5 of regular salary)
58	Lillian O. Yeager	\$1,600/wk	7/9/06	2	15	\$640(2/5 of regular salary)
59	Lillian O. Yeager	\$1,600/wk	11/28/04	2	12	\$1,280 (4/5 of regular salary)

#	Name	Salary/Rate	Workweek	Days M-F	Hrs Reported For Billing	Regular Pay Received
60	Karen Brown	\$1,600/wk	7/9/06	1	4	\$320 (1/5 of regular salary)
61	Milton Gurney	\$1,600/wk	9/11/05	1	6	\$320 (1/5 of regular salary)
62	Julie McMillan	\$1,600/wk	12/26/04	1	6.5	\$320 (1/5 of regular salary)
63	Julie McMillan	\$1,600/wk	5/22/05	1	1.5	\$320 (1/5 of regular salary)
64	Louis Smeraglia	\$1,600/wk	9/4/05	1	3	\$1,600 (5/5 of regular salary)
65	Louis Smeraglia	\$1,600/wk	7/17/05	1	2.75	\$320 (1/5 of regular salary)
66	Toni S. Moseley	\$1,800/wk	6/5/05	1	5.75	\$360 (1/5 of regular salary)
67	Stanley Smith	\$1,600/wk	10/17/04	1	6	\$320 (1/5 of regular salary)



## SATURDAY WORK

- 25% of employees worked on Saturday 5% or less
- 50% of employees worked on Saturday 12.5% or less
- 75% of employees worked on Saturday 22.73% or less
- *Over 80% of employees worked on Saturday 25% or less*

## SUNDAY WORK

- 25% of employees worked on Sunday 3.41% or less
- 50% of employees worked on Sunday 13.64% or less
- 75% of employees worked on Sunday 25% or less
- Over 80% of employees worked on Sunday 28.71% or less

**Number of Employees Who  
Had to Use Personal Time Off  
In Order to Not Work Saturday  
or Sunday:**

**0**



**Number of Employees Whose  
Salary Was Deducted For  
Absences on a Saturday or  
Sunday:**

**0**



Out of approximately 140 original claimants and over 7,871 workweeks, Plaintiffs claimed during discovery that Callaway improperly deducted from salary for partial day absences only as to 23 people on 32 occasions. [Appendix B to Doc. No. 339.]

## Concessions from Plaintiffs

During summary judgment briefing, Plaintiffs conceded that Callaway properly paid Joanne Banks and Marilyn Bordeaux.

Plaintiffs also conceded that Callaway properly paid Barbara Sykes.

Plaintiffs further conceded that Callaway had properly paid Lillian O. Yeager for one of the disputed weeks.

Mark Herak and Kay Welborn previously settled all claims and have withdrawn from the case and are no longer in this action. [Doc. Nos. 323 & 328.]



## Concessions from Plaintiffs

Thus, out of the 140 original claimants, only 17 Plaintiffs claim that Callaway improperly deducted from their salary for partial day absences. There is no dispute as to 7,847 of the original 7,871 weeks – 99.7% of the total. These 17 Plaintiffs only dispute 24 weeks – 0.3% of the total.

## 9 People Who Had Full Day Absence Monday-Friday But Worked Part of Weekend:

Alan Alfieri.....	(1 week out of 116 weeks)
Shirley Anderson-Cox.....	(1 week out of 32 weeks)
Jim Cook .....	(1 week out of 98 weeks)
Carl Goodwin .....	(1 week out of 127 weeks)
Tim Hord .....	(1 week out of 54 weeks)
Fatima McCullough .....	(1 week out of 83 weeks)
Pamela O. Nunez*.....	(1 week out of 100 weeks)
Andrea Philpotts .....	(1 week out of 86 weeks)
Louis Smeraglia* .....	(3 weeks out of 121 weeks)

\*Was reimbursed for other weeks by Callaway as subsequently discussed



## Plaintiff Alan Alfieri Was Properly Paid for Week of 11/27/05

Mon	Tue	Wed	Thur	Fri	Sat	Sun
12	0	0	8(h)	8(h)	2	3

- Alfieri worked on 1 regularly-scheduled day. 2 days were paid holidays.
- Callaway deducted 1/5 of his salary for each full day absence on a weekday.
- Alfieri's regular weekly salary of \$1,600 was pro-rated to equal \$320 per regularly-scheduled day.
- Alfieri was paid 1/5 of his weekly salary (\$320) for the 1 regularly-scheduled day worked. Alfieri was also paid \$640 for the 2 days of paid holidays.
- He also received \$360 for 9 bonus hours.

$$\$320 \text{ (1/5 of regular salary)} + \$640 \text{ (holiday)} + \$360 \text{ (bonus)} = \$1320$$

# Plaintiff Shirley Anderson-Cox Was Properly Paid for Week of 4/8/05

Mon	Tue	Wed	Thur	Fri	Sat	Sun
0	0	0	4	8.5	9	4

- Anderson-Cox worked on 2 regularly-scheduled days.
- Callaway deducted 1/5 of her salary for each full day absence on a weekday.
- Anderson-Cox's regular weekly salary of \$1,600 was pro-rated to equal \$320 per regularly-scheduled day.
- Anderson-Cox was paid 2/5 of her weekly salary (\$640) for the 2 regularly-scheduled days worked.
- She also received \$380 for 9.5 bonus hours.

$$\$640 \text{ (2/5 of regular salary)} + \$380 \text{ (bonus)} = \$1020$$